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Inventor: Kermani
Serial No. 10/809,608
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REMARKS

Claims 1-29, 47 and 48 are currently pending and under examination. Claims 30-46 are withdrawn. By the present communication new claims 49-89 are added and claims 5, 12 and 30-46 are canceled without prejudice to pursuing the subject matter of these claims in one or more applications claiming priority to the above-captioned application. Following entry of the amendments claims 1-4, 6-11, 13-29 and 47-89 will be pending and under examination.

Claims 1, 47 and 48 have been amended support for which can be found in the specification, for example, at page 21, lines 1-21 and originally filed claim 12. Claims 13-16 and 29 have been amended to correct antecedent basis. Claims 28 and 29 have been amended for clarification, support for which can be found in the specification, for example, at page 22, line 29, through page 23, line 7. New claims 49-89 have been added to depend from claims 47 and 48. The new claims find support throughout the application including, for example, in claims 2-46, which depend from claim 1, as originally filed. Accordingly, the amendments do not raise any issues of new matter. Therefore, entry of the amendments is respectfully requested.

Objection to the Specification

The Office Action objects to the specification for improper use of trademarks in the text. The Office Action also objects to the specification for referring to Figure 10 instead of Figures 10A through 10F. Applicant has amended the specification in accordance with the suggestions in the Office Action. Therefore, removal of the objection is requested.

Rejections Under 35 U.S.C. § 112

Claims 1-29, 47 and 48 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for omitting an essential step. In this regard, the Office Action alleges that the claims omit the essential step of identifying control points. Applicant respectfully traverses the rejection because the inclusion of a step of identifying control points is not required by the invention. The section of the specification pointed to in the Office Action does not limit claim 1 as originally filed. Rather this section of the specification teaches that particular

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embodiments of the invention can include identifying control points. Nevertheless, in order to further prosecution of this application, the claims have been amended in accordance with particular embodiments of the invention by specifically reciting a step of projecting said control points to a line or curve passing through said sweep points, thereby forming set points. The amended claims further recite a step of determining parameters of a registration transformation equation based on said set of control points and said set points. The amendments are made without prejudice to pursuing the subject matter of the originally filed claims in one or more applications claiming priority to the above-captioned application. Removal of the rejection is requested.

Claim 29 stands rejected under 35 USC § 112, second paragraph, as allegedly being indefinite for lacking clear antecedent basis in claim 1. In this regard, the Office Action alleges that the "signal transformation" recited in claim 29 lacks clear antecedent basis in claim 1 which is directed *inter alia* to transforming n sets of first and second signal values according to a registration transformation. Applicant respectfully traverses the rejection because the term "signal transformation" as recited in claim 29 clearly has antecedent basis in the term "signal transformation" recited in claim 28 rather than to the phrase "transforming said n sets of first and second signal values according to the registration transformation equation" recited in claim 1. Nevertheless, in order to further prosecution of this application, claims 28 and 29 have been amended to change the term "signal transformation" to "balancing signal transformation" to more clearly identify the antecedent relationship in the claims. Accordingly, removal of the rejection is requested.

Rejections Under 35 U.S.C. § 102

Claims 1-8, 19 and 22 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Hill et al. (*Genome Biology* 2:1-13 (2001)). Applicant respectfully traverses the rejection. Claims 1-8, 19 and 22 have been amended as set forth in response to the rejection under 35 U.S.C. § 112, second paragraph. Applicant submits that Hill et al. does not teach the claimed method including a step of projecting control points to a line or curve passing through sweep points, thereby forming set points. Furthermore, novelty of the amended claims over Hill et al. is

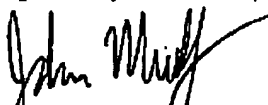
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consistent with the Office Action because the amended claims incorporate elements of claim 12 and claim 12 was not rejected under 35 U.S.C. § 102(b). Accordingly, the amended claims are novel and removal of the rejection is requested.

CONCLUSION

In light of the Amendments and Remarks herein, Applicant submits that the claims are in condition for allowance and respectfully request a notice to this effect. The Examiner is invited to call the undersigned agent should there be any questions.

Respectfully submitted,



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